

E 469
.R49
Copy 1

THE
HAMPTON ROADS CONFERENCE

BY
JOSEPH W. RICH



REPRINTED FROM THE APRIL 1903 NUMBER OF
THE IOWA JOURNAL OF HISTORY AND POLITICS
PUBLISHED AT IOWA CITY IOWA BY
THE STATE HISTORICAL SOCIETY OF IOWA



THE HAMPTON ROADS CONFERENCE

In Bretonge

Sept 1907

1907



THE HAMPTON ROADS CONFERENCE

On May 7, 1902, in the Senate of the United States, Senator Tillman of South Carolina took occasion to refer to the Hampton Roads Conference of 1865. And for the purpose of showing, as he supposed, the willingness of President Lincoln to end the war on almost any terms, Senator Tillman undertook to state what was demanded and what occurred at that Conference. He said:

The claim on the part of the North was, "Restore the Union; give us the Union;" and Alexander Stephens was told by Abraham Lincoln at the Hampton Roads conference to take a blank sheet of paper and write, "Save the Union;" and President Lincoln said, "Aleck, you fill out the balance, and I will agree to it."¹

This statement by Senator Tillman is in substance a repetition of the story of the celebrated Conference which has gained some currency in recent years, having been used by no less a person than Mr. Henry Watterson in a public lecture on Abraham Lincoln. Mr. Watterson was corrected, however, by Hon. John H. Reagan, who at the time of the Conference was a member of the cabinet of the Confederate States.

On the day following the statement made by Senator Tillman, Senator Vest arose in the Senate and observed that, while he did not desire to participate in the debate then going on, he felt compelled "in justice to both the living

¹ *Congressional Record*, 57th Cong., 1st Sess., Vol. xxxv, p. 5100.

and the dead" to notice the "remarkable assertion" made by Senator Tillman. Senator Vest then said:

Mr. President, I know personally, without having been present at that celebrated interview, that the incident is without the slightest foundation. If true, it would place the Government and officers of the Confederate States in the category of criminals, because, if true, the Confederacy was offered all that it ever demanded in the wildest hopes of the most extreme partisan of that war, if they would only return to the Union. . . . I happen to know from the lips of two of the commissioners, Alexander H. Stephens and R. M. T. Hunter, that no such incident ever occurred between the representatives of the United States and of the Confederate States at Hampton Roads.¹

Senator Vest said that he had further knowledge of the facts, having heard the "official report" made by the commissioners after their return to Richmond. From these sources of information Senator Vest related what occurred as follows:

When the commissioners, if I may so term the President and the Secretary of State of the United States, met the commissioners of the Confederacy, Mr. Lincoln, addressing himself to R. M. T. Hunter, whom he knew very well, said, "In the first place, gentlemen, I desire to know what are your powers and instructions from the Richmond Government?" avoiding, as Mr. Hunter told me himself, the words "Confederate States," but terming the Government that of the Richmond Government. Mr. Hunter, to whom the inquiry was addressed, said, "Mr. President, we are instructed to consider no proposition that does not involve the independence of the Confederate States of America." "Then," said Mr. Lincoln, "the interview had as well terminate now, for I must say to you gentlemen frankly and honestly that nothing will be accepted from the Government at Richmond except absolute and unconditional surrender."²

¹ *Congressional Record*, 37th Cong., 1st Sess., Vol. xxxv, p. 5160.

² *Ibid*, p. 5160.

In case these terms were accepted, President Lincoln further said (according to Senator Vest) that “the largest executive clemency” would be extended to “the leaders and generals of the Government at Richmond.” “This terminated the interview,” says Senator Vest; but, “as the commissioners of the Confederacy retired from the chamber, Mr. Lincoln, addressing Stephens, said: ‘Stephens, you are making a great mistake. Your Government is a failure, and when the crash comes, as it soon must come, there will be chaos, and disasters which we cannot now foresee must come to your people.’”¹

The account thus given, Senator Vest avers with the utmost assurance, is “substantially and almost word for word” as it came to him from the two commissioners named. Furthermore, he adds that “to put this matter beyond all sort of dispute, Judge Campbell . . . took down in pencil at the interview, word for word, what passed between the commissioners;” and this “account in writing was exhibited to many of his [Campbell’s] friends in the city of Richmond.” Senator Vest says that he himself was told the story by a gentleman who had seen the written report, which was “almost exactly” as he had tried to relate it. He closed his remarks to the Senate as follows:

I do not want this statement, which I have no doubt the Senator from South Carolina believes to be true, to go into the records of this country without my statement of these facts and my solemn denial that there is the shadow of truth in this assertion which has been going the rounds of the newspapers of the country for the last few years.²

¹ *Congressional Record*, 57th Cong., 1st Sess., Vol. xxxv, p. 5160.

² *Ibid.*, p. 5160.

Senator Vest has done a distinct service to the truth of history in thus publicly and in such a conspicuous manner denying the popular story as to what occurred at the Hampton Roads Conference—an event big with possibilities but *without result*, unless we accept as a *result* the knowledge that the war must continue until ended on the field of battle.

Senator Tillman having been corrected by Senator Vest, it is now in order to correct Senator Vest by documentary evidences¹ and by the testimony of Mr. Alexander H. Stephens, one of the commissioners of the Confederate States and their chief spokesman at the celebrated Conference. Soon after the event Mr. Stephens put into enduring form his recollections of what occurred.² Senator Vest's account is from his own memory of what was told to him thirty-seven years ago. From his account it must be inferred that the interview was of short duration, if, as Senator Vest would have us believe, President Lincoln delivered the ultimatum of "unconditional surrender." It must also be inferred from Senator Vest's account that Mr. Hunter was the chief spokesman for the Confederate commissioners, that Judge Campbell was a stenographer, and that he made a verbatim report of what was said. Neither of the three propositions is true, as will be seen from the more reliable evidences and testimony which follow. The interview was of "several hours duration" according to President Lincoln; it was "about four hours" long according to Mr. Stephens.

¹The documents are found in Lincoln's special message to the House of Representatives, Feb. 10, 1865—See *Messages and Papers of the Presidents*, Vol. vi, pp. 260-269.

²*A Constitutional View of the Late War Between the States*, 1867.

No record was kept by any person; nor was any person permitted to take notes at the interview of what was said. There can be no doubt but that Mr. Stephens, being at the head of the Confederate commission, was its chief spokesman.

SOME OTHER ACCOUNTS OF THE CONFERENCE

Mr. Edward S. Ellis in *The History of Our Country* quotes at considerable length from Wm. E. Cameron's "full and accurate account,"¹ of which the following is an extract:

The inception of the Conference was a visit to Richmond of Francis P. Blair, Sr., armed with a letter from Mr. Lincoln, in which the latter expressed his willingness to receive delegates from "those in authority in the Southern States who desire to make peace on the basis of one common country."²

This part of Mr. Ellis' account is not true in any essential particular. Mr. Blair was not *sent* by anybody; nor was he on his first trip "armed with a letter" or with anything else except a pass through the lines; nor is the quotation, purporting to have been made from President Lincoln's letter which was borne by Mr. Blair on his second trip, correctly made either in words or in sentiment, as will be seen by the letter below.³

Mr. Cameron's account of the opening of the Conference, quoted by Ellis, is as follows:

Mr. Stephens opened the business in hand by stating clearly and with precision the conditions which the Confederates were instructed to lay before the President of the United States.

¹ Volume v, p. 1311.

² *Ibid.*, p. 1311.

³ See below p. 12.

This implies of course that the Confederate commissioners were present with an ultimatum to the President of the United States, instead of being present to suggest a diversion in the hope of securing by secret convention at least a temporary cessation of hostilities. In these respects the Cameron story is entirely misleading.

Other short accounts of the Conference are found in Schouler's *History of the United States*,¹ and Scribner's *Popular History of the United States*.² Neither of these accounts, however, is full enough to convey a satisfactory idea of the Conference.

For a full and accurate account of the Hampton Roads Conference from its inception to its conclusion we must turn to (1) the special message of President Lincoln of February 10, 1865,³ (2) *A Constitutional View of the Late War Between the States*, by Alexander H. Stephens,⁴ (3) *Abraham Lincoln*, by Nicolay and Hay, and (4) the *Rise and Fall of the Confederate Government*, by Jefferson Davis.

¹ Volume vi, p. 535.

² Volume v, p. 325.

³ *Messages and Papers of the Presidents*, Volume vi, p. 260. On the 10th day of February, in response to a resolution of the House for information, President Lincoln sent a special message giving all of the documents in the case and briefly stating the main points discussed and stating that "the conference ended without result." On the same date, the Senate was "referred" to the documents transmitted to the House, and in addition thereto, the Senate was furnished with the "instructions" sent to Minister Adams in London, touching the affair, which instructions in no material points differ from Mr. Stephens' account.

⁴ Mr. Stephens was Vice President of the Confederate States. His two volume work was written in 1867.

MR. BLAIR'S MISSION TO RICHMOND

Who was Francis P. Blair, Sr., the self-appointed messenger to the President of the Confederate States prior to the Hampton Roads Conference? Mr. Davis calls him "a distinguished citizen of Maryland." Mr. Stephens styles him the "Warwick" of the Republican party. He was for many years a prominent editor and politician, coming into notice as a Jackson Democrat in opposition to South Carolina Nullification. He was a friend and counsellor of Andrew Jackson himself. Later he became a Freesoil Democrat (Barnburner); and finally he appears as a Republican. He was intimately acquainted with leading men, North and South, and was on personally friendly terms with Mr. Jefferson Davis.

In the latter part of the year 1864, Mr. Blair thought that he might do something to bring about peace by an interview with Mr. Davis. He suggested the thought to President Lincoln but got no encouragement from that quarter, not even a chance to explain himself. Mr. Lincoln, however, said to him finally and evasively: "Come to me after Savannah falls."¹ Mr. Blair was promptly on hand after that event, and was given a card with these words:

DECEMBER 28, 1864.

Allow the bearer, F. P. Blair, sr., to pass our lines, go South, and return.

A. LINCOLN.²

With this and this only he passed the lines and arrived at Richmond on January 12, 1865, where his appearance

¹ Nicolay and Hay's *Abraham Lincoln*, Vol. x, p. 94.

² *Messages and Papers of the Presidents*, Vol. vi, p. 269.

“caused no little sensation.” An interview was promptly had with Mr. Jefferson Davis, which was introduced with an explanation by Mr. Blair as to the means used to procure the pass. Mr. Blair avowed his individual responsibility in the matter. Among the first questions propounded to Mr. Davis was one as to whether “he had any commitments with European powers,” if he was free to answer such a question, “which would control his conduct in making arrangements with the Government of the United States.” To this Mr. Davis replied that he “was absolutely free and would die a free man in all respects.”

This opened the way for Mr. Blair to read a paper embodying his idea—a paper which he had prepared to be submitted to Mr. Davis in case a personal interview could not be had. It begins as follows:

The Amnesty Proclamation of President Lincoln in connection with his last Message to Congress . . . presents a basis on which I think permanent peace and union between the warring sections of our country may be re-established.¹

Slavery being “doomed,” a fact “admitted now on all sides,” continued Mr. Blair, “the issue is changed and war against the Union becomes a war for monarchy.” Having developed these ideas, Mr. Blair then reviewed the conditions in Mexico, and said: “Jefferson Davis is the fortunate man who now holds the commanding position to encounter this formidable scheme of conquest.” In order to carry out the scheme it would first be necessary to arrange an armistice so that as much of the Confederate army as might be needed could be transferred to Texas. Juarez, the Mex-

¹ Nicolay and Hay's *Abraham Lincoln*, Vol. x, p. 97.

ican leader, was to be "propitiated," and very likely Mr. Davis himself might be proclaimed dictator.

In case the "Mexican recruits and the army of the South" proved unequal to the task, it was suggested that "multitudes of the army of the North" would take a hand, and together they would sweep the invaders out of Mexico. Having presented his plan much more in detail than is possible in this connection, Mr. Blair said: "There is my problem Mr. Davis; do you think it possible to be solved?" After some reflection Mr. Davis answered: "I think so."¹

The interview continued for some time and various points were discussed. It terminated with the understanding that Mr. Blair would sound President Lincoln on the subject. It will be noted that the plan here presented to Mr. Davis did not contemplate a uniting of the Confederate and Union forces to drive Maximilian out of Mexico. It was to be a Confederate movement to be made possible by means of an armistice. After the interview Mr. Davis made a memorandum of the conversation, and on the day following submitted it to Mr. Blair. This memorandum was mutually agreed to be substantially correct. It is substantially corroborative of Mr. Blair's account, except that Mr. Davis construed the proposed movement on Mexico to be a joint one in support of the Monroe Doctrine. Mr. Blair was then furnished with the following to be shown to President Lincoln:

F. P. BLAIR, Esq.

RICHMOND, VA., January 12, 1865.

SIR: I have deemed it proper, and probably desirable to you, to give you in this form the substance of remarks made by me, to be repeated by you to President Lincoln, etc., etc.

I have no disposition to find obstacles in forms, and am willing, now

¹ Nicolay and Hay's *Abraham Lincoln*, Vol. x, p. 193.

as heretofore, to enter into negotiations for the restoration of peace, and am ready to send a commission whenever I have reason to suppose it will be received, or to receive a commission if the United States Government shall choose to send one. That notwithstanding the rejection of our former offers, I would, if you could promise that a commissioner, minister, or other agent would be received, appoint one immediately, and renew the effort to enter into conference with a view to secure peace to the two countries.

Yours, etc., JEFFERSON DAVIS.¹

Armed with this proposition to enter into conference with a view to secure peace to the *two countries*, Mr. Blair returned to Washington and received the following, with a view of securing peace to the people of *our one common country*, to be shown to Mr. Davis.

WASHINGTON, January 18, 1865.

F. P. BLAIR, Esq.

SIR: Your having shown me Mr. Davis's letter to you of the 12th instant, you may say to him that I have constantly been, am now, and shall continue ready to receive any agent whom he or any other influential person now resisting the national authority may informally send to me with the view of securing peace to the people of our one common country.

Yours, etc., A. LINCOLN.¹

Mr. Blair returned to Richmond and delivered the above to Mr. Davis, at the same time stating (according to Mr. Davis) that he (Blair) had "modified the views he formerly presented," and had "a different mode of procedure" to offer, to the effect that, "on account of the extreme men in Congress and elsewhere, it would not be feasible for him [President Lincoln] to enter into any arrangement with us by the use of political agencies; that, if anything beneficial could be effected, it must be done without the in-

¹ *Messages and Papers of the Presidents*, Vol. VI, pp. 260, 261.

tervention of the politicians. He, therefore, suggested that Generals Lee and Grant might enter into an arrangement by which hostilities would be suspended."

To this Mr. Davis replied that he was willing to entrust such a negotiation to General Lee. Later on Mr. Blair informed Mr. Davis that "the idea of a military convention was not favorably received at Washington;" and "so it only remained for me," says Mr. Davis, "to act upon the letter of Mr. Lincoln."

On the day following Mr. Blair's departure from Richmond, Mr. Davis, before consulting with his cabinet, called Mr. Stephens (Vice-President of the Confederate States) into consultation, disclosed to him Mr. Blair's mission, and asked his advice. Though not hopeful of any good results, Mr. Stephens thought a conference desirable, and suggested that the two Presidents were the persons to be brought together if possible. To this Mr. Davis demurred, and then Mr. Stephens suggested the names of three persons, only one of whom was finally appointed, as commissioners. A cabinet meeting was held immediately after this interview, and Mr. Stephens' next information was that R. M. T. Hunter (Senator), Judge John A. Campbell (Asst. Sec. of War), and himself had been appointed. Mr. Stephens strongly objected to the selection both of himself and of Mr. Hunter on the ground that absence from their accustomed official duties would attract notice, whereas it was important to observe "the most perfect secrecy."¹

Mr. Stephens makes no mention of either verbal or writ-

¹ *A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, Colloquy xxiii.

ten instructions to the commission, but each commissioner was furnished with the following dated Richmond, January 28, 1865:

In conformity with the letter of Mr. Lincoln, of which the foregoing is a copy, you are requested to proceed to Washington City for an informal conference with him upon the issues involved in the existing war, and for the purpose of securing peace to the two countries.¹

The commissioners reached the Union lines January 29, at Petersburg (Gen. Wilson commanding), and asked to be passed through "in accordance with an understanding . . . with Lieutenant-General Grant." To this the Secretary of War replied that the Department had no knowledge of such an "understanding" (nor was there any), and they were not permitted to pass. On the next day the commissioners addressed a note to General Grant at City Point asking "to pass your lines under safe-conduct, and to proceed to Washington." The request was sent to the President, and at the same time orders were sent by Grant to pass the commissioners on to headquarters, where they arrived on the same day. On the same day also (Jan. 30) a messenger was sent from Washington to meet the commissioners and to inform them that they would be allowed to pass the lines to Fortress Monroe "for the purpose of an informal conference on the basis of the letter" of January 18, 1865. The reply of the commissioners to the instructions of the messenger was not "satisfactory," and it was so reported. The commissioners then addressed a second request to General

¹ *The Rise and Fall of the Confederate Government*, by Jefferson Davis, Vol. II, p. 617.

Grant to be passed on to Washington "to confer informally with the President," which of course was not granted.¹

While this correspondence was in progress, President Lincoln dispatched Mr. Seward, Secretary of State, to Fortress Monroe, where he arrived February 1st under instructions from the President that, in the expected interview, "three things are indispensable," to wit:

1. The restoration of the national authority throughout all the States.
2. No receding by the Executive of the United States on the slavery question from the position assumed thereon in the late annual message to Congress and in preceding documents.
3. No cessation of hostilities short of an end of the war and the disbanding of all forces hostile to the Government.²

After all of these preliminaries, because of the unsatisfactory reply of the commissioners to the instructions of the special messenger, the President was about to recall Mr. Seward when he received through the War Department (on February 2d) a dispatch from General Grant,³ which not only determined him to let the interview take place but to join Mr. Seward, which he did on February 2d, having sent

¹ *Messages and Papers of the Presidents*, Vol. vi, pp. 262, 265.

² *Messages and Papers of the Presidents*, Vol. vi, p. 264.

³ Grant's confidential dispatch which determined the President to join Mr. Seward is as follows:

"HON. EDWIN M. STANTON, *Secretary of War*:

"Now that the interview between Major Eckert, under his written instructions, and Mr. Stephens and party has ended, I will state confidentially, but not officially to become a matter of record, that I am convinced upon conversation with Messrs. Stephens and Hunter that their intentions are good and their desire sincere to restore peace and union. I have not felt myself at liberty to express even views of my

orders to Grant to "let nothing which is transpiring change, hinder, or delay your military movements or plans." The interview took place on board a United States steamer, in Hampton Roads, near Fortress Monroe, February 3, 1865.¹

THE ACCOUNT OF THE CELEBRATED CONFERENCE AS GIVEN BY
ALEXANDER H. STEPHENS

After the formal salutations, inquiries after mutual acquaintances, and brief reminiscences of other days, Mr. Stephens said "in substance:"

Well, Mr. President, is there no way of putting an end to the present trouble, and bringing about a restoration of the general good feeling and harmony *then* existing between the different States and Sections of the country?

own or to account for my reticency. This has placed me in an awkward position, which I could have avoided by not seeing them in the first instance. I fear now their going back without any expression from anyone in authority will have a bad influence. At the same time, I recognize the difficulties in the way of receiving these informal commissioners at this time, and do not know what to recommend. I am sorry, however, that Mr. Lincoln cannot have an interview with the two named in this dispatch, if not all three now within our lines. Their letter to me was all that the President's instructions contemplated to secure their safe conduct if they had used the same language to Major Eckert [special messenger].

"U. S. GRANT, *Lieutenant-General*.

See *Messages and Papers of the Presidents*, Vol. VI, p. 266.

¹There is a curious error in a date, which is perhaps worth mentioning, found in the report of the Confederate commissioners to Mr. Davis. As printed in Mr. Stephens' *A Constitutional View of the Late War Between the States*, Vol. II, Appendix R, p. 792, the date of the Conference is given as "the 30th inst.," which would be February 30th, if there could be such a date. In Mr. Davis' *The Rise and Fall of the Confederate Government*, Vol. II, p. 619, the date is given as "the 30th ult.," which would be the 30th of January. The true date was as given in the text above, February 3, 1865.

Mr. Seward said: It is understood, gentlemen, that this is to be an informal Conference. There is to be no clerk or secretary - no writing or record of anything that is said. All is to be verbal.

I, speaking for the Commissioners, said that was our understanding of it. To this all assented, whereupon I repeated the question.

Mr. Lincoln in reply said, in substance, that there was but one way that he knew of, and that was, for those who were resisting the laws of the Union to cease that resistance. All the trouble came from an armed resistance against the National Authority.

But, said I, is there no other question that might divert the attention of both Parties, for a time, from the questions involved in their present strife, until the passions on both sides might cool,? Is there no Continental question, said I, which might thus temporarily engage their attention? We have been induced to believe that there is.¹

This reference to a "Continental question" brought from Mr. Lincoln the response: "I suppose you refer to something that Mr. Blair has said." He at once disavowed authority for anything and everything that may have been said or done by Mr. Blair, but said that he was "always willing to hear propositions for peace" on the basis of "the restoration of the Union," which with him was a "*sine qua non*." There was silence for a few moments, when Mr. Stephens said:

But suppose, Mr. President, a line of policy should be suggested, which, if adopted, would most probably lead to a restoration of the Union without further bloodshed, would it not be highly advisable to act on it, even without the absolute pledge of ultimate restoration being required to be first given? May not such a policy be found to exist in the line indicated by the interrogatory propounded? Is there not now such a Continental question in which all the parties engaged

¹ *A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, pp. 599, 600.

in our present war feel a deep and similar interest? I allude, of course, to Mexico, and what is called the 'Monroe Doctrine,'—the principles of which are directly involved in the contest now waging there.¹

In further elaboration of the question, Mr. Stephens said:

We are under the impression that the Administration at Washington is decidedly opposed to the establishment of an Empire in Mexico by France, and is desirous to prevent it. In other words, they wish to sustain the principles of the Monroe Doctrine, and that, as I understand it, is, that the United States will maintain the right of Self-Government to all Peoples on this Continent, against the dominion or control of any European power.

Mr. Lincoln and Mr. Seward both concurred in the expression of opinion that such was the feeling of the majority of the people of the North.

Could not both Parties then, said I, in our contest, come to an understanding and agreement to postpone their present strife, by a suspension of hostilities between themselves, until this principle is maintained in behalf of Mexico; and might it not, when successfully sustained there, naturally, and would it not almost inevitably, lead to a peaceful and harmonious solution of their own difficulties? Could any pledge now given, make a permanent restoration or reorganization of the Union more probable, or even so probable as such a result would?

Mr. Lincoln replied with considerable earnestness, that he could entertain no proposition for ceasing active military operations, which was not based upon a pledge first given, for the ultimate restoration of the Union and the only basis on which he would entertain a proposition for a settlement was the recognition and re-establishment of the National Authority throughout the land.¹

This answer seemed about to close the interview, as the

¹ *A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, pp. 601, 602.

commissioners had no authority to give pledges, when Judge Campbell inquired in what way a settlement might be effected, supposing the Confederate States were to accept the conditions. But Mr. Seward desired, before answering Judge Campbell's question, to have the other subject more fully developed, as it seemed to him to have a "philosophical basis." And so Mr. Stephens gave his views at length on the Monroe Doctrine and on popular government, and it seemed to him that the situation in Mexico might "afford a very opportune occasion for reaching a proper solution of our own troubles without any further effusion of fraternal blood."¹

This play upon the Monroe Doctrine was evidently not sincere, for it ended with a declaration by Mr. Hunter that "there was not unanimity in the South upon the subject of undertaking the maintenance of the Monroe Doctrine, and it was not probable that any arrangement could be made by which the Confederates would agree to join in sending any portion of their Army into Mexico." In this view he expressed the joint opinion of the commissioners, says Mr. Stephens.

From this excursion into the realms of speculation, Mr. Lincoln brought the Conference back to business by declaring that "he could enter into no treaty, convention or stipulation, or agreement with the Confederate States, jointly or separately, upon that or any other subject, but upon the basis first settled, that the Union was to be restored."

Judge Campbell then repeated his question, and the Pres-

¹ *A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, p. 604.

ident replied that restoration could take place "by disbanding their armies and permitting the National Authorities to resume their functions." This point was emphasized by Mr. Seward by calling the attention of the commissioners to the President's last annual message as embodying his views on that branch of the subject, and quoting therefrom from memory. After some further discussion, Mr. Stephens propounded another question as follows:

I asked Mr. Lincoln what would be the *status* of that portion of the Slave population in the Confederate States, which had not then become free under his Proclamation; or in other words, what effect that Proclamation would have upon the entire Black population? Would it be held to emancipate the whole, or only those who had, at the time the war ended, become actually free under it? ¹

Mr. Lincoln answered that it was "a judicial question," and he could not say how the courts would decide it. He was of opinion, however, that the Proclamation, "was a *war measure*, and would have effect only from its being an exercise of the war power, as soon as the war ceased, it would be inoperative for the future. It would be held to apply only to such slaves as had come under its operation while it was in active exercise. This was his individual opinion, but, "the Courts might decide the other way;" and he declared that "he never would change or modify the terms of the Proclamation in the slightest particular."

Mr. Stephens asked what relation the Confederate States would sustain to other States in case the war was abandoned. "Would they be admitted to representation in Congress?"

¹ *A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, p. 610.

Mr. Lincoln very promptly replied, that his own individual opinion was, they ought to be. He also thought they would be; but he could not enter into any stipulation upon the subject."¹

Being further pressed on the subject of a cessation of hostilities, the President replied that he could not enter into any arrangements "with parties in arms against the Government;" and so Mr. Hunter undertook to remove this difficulty by citing the fact that "entering into agreements with persons in arms against the acknowledged rightful public authority" was no new thing; and he cited the case of Charles I of England, to which Mr. Lincoln replied: "I do not profess to be posted in history. On all such matters I will turn you over to Seward. All I distinctly recollect about the case of Charles I, is, that he lost his head in the end."

Mr. Stephens urged upon the President the view that, if he was justified in issuing the Emancipation Proclamation as a war measure, as a like war measure he might certainly enter into some stipulation with the same object in view to end the war. The President "then went into a prolonged course of remarks about the Proclamation. He said it was not his intention in the beginning to interfere with Slavery in the States; that he never would have done it," except to "maintain the Union;" that it raised many "difficult and perplexing questions;" that he favored "prohibiting the extension of slavery," but believed that the Government possessed no "power over the subject in the States;" and

¹*A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, p. 612.

that he favored emancipation, but not immediate, “even by the States.” Mr. Stephens then goes on:

After pausing for some time, his head rather bent down, as if in deep reflection, while all were silent, he rose up and used these words, almost, if not, quite identical:

Stephens, if I were in Georgia, and entertained the sentiments I do—though, I suppose, I should not be permitted to stay there long with them; but if I resided in Georgia, with my present sentiments, I’ll tell you what I would do, if I were in your place: I would go home and get the Governor of the State to call the Legislature together, and get them to recall all the State troops from the war; elect Senators and Members to Congress, and ratify this Constitutional Amendment *prospectively*, so as to take effect—say in five years. Such a ratification would be valid in my opinion. I have looked into the subject, and think such a prospective ratification would be valid. Whatever may have been the views of your people before the war, they must be convinced now, that Slavery is doomed. It cannot last long in any event, and the best course, it seems to me, for your public men to pursue, would be to adopt such a policy as will avoid, as far as possible, the evils of immediate emancipation. This would be my course, if I were in your place.¹

After some further discussion of the slavery side of the question, Mr. Hunter recapitulated the subjects discussed and arrived at the result that nothing had been offered “but an unconditional surrender on the part of the Confederate States and their people. There could be no agreement, no treaty, nor even any stipulations as to terms—nothing but unconditional submission.”

Mr. Stephens says this “summation” was given with “a good deal of force,” to which Mr. Seward replied that “no

¹A *Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, p. 614.

words like unconditional submission had been used, or any importing, or justly implying degradation, or humiliation even, to the people of the Confederate States." He thought that submission to the "laws under the Constitution" could not be considered as "unconditional submission to conquerors, or as having anything humiliating in it." To this, Mr. Hunter replied: "But you make no agreement that these rights [under the Constitution] will be so held and secured." Mr. Lincoln replied to this by saying that as far as "the Confiscation Acts, and other penal acts, were concerned, their enforcement was left entirely with him," that he was willing to be "full and explicit" on that point, and that "he should exercise the power of the Executive with the utmost liberality." Mr. Stephens observes further that Lincoln "went on to say that he would be willing to be taxed to remunerate the Southern people for their slaves. He believed the people of the North were as responsible for slavery as the people of the South, and if the war should then cease, with the voluntary abolition of slavery by the States, he should be in favor, individually, of the Government paying a fair indemnity for the loss to the owners." But on this subject, he said that he "could give no assurance."¹

This practically brought the Conference to a conclusion; and after some arrangements for a special exchange of prisoners, Mr. Stephens said: "I wish Mr. President, you would re-consider the subject of an Armistice on the basis which has been suggested." Taking Mr. Stephens' hand "for a

¹*A Constitutional View of the Late War Between the States*, by Alexander H. Stephens, Vol. II, p. 617.

farwell leave," Mr. Lincoln replied: "Well, Stephens, I will re-consider it, but I do not think my mind will change, but I will re-consider."

And so the historic Conference ended after a full, fair, and dispassionate discussion of the momentous question of peace by compromise. In that group of statesmen, anchored out upon the waters of the deep blue sea, Abraham Lincoln was the imposing figure, holding absolutely in his hand the fate of a continent. With another man in his place and another man than Grant at City Point, the current of political events might have changed its course in an hour. Within ten weeks of this time the Confederacy had collapsed, and President Lincoln had fallen at the hands of an assassin—Lincoln, the best and truest friend of the fallen cause.

The commissioners on the way back to Richmond had another interview with General Grant, who "evidently," says Mr. Stephens, "regretted very much that nothing had been accomplished by the Conference." In Richmond "everybody was very much disappointed, and no one seemed to be more so than Mr. Davis." Mr. Stephens himself still entertained a lingering hope that Mr. Lincoln would "re-consider" and that something might yet come of it.

JOSEPH W. RICH

IOWA CITY, IOWA

LIBRARY OF CONGRESS



0 013 700 995 A